

**2009SP-003-002**

Anchor Property Holdings (Amendment #1)

Map: 050-00 Parcel: 088

Parkwood/Union Hill Community Plan

Council District 3 – Walter Hunt

Staff Reviewer: Brian Sexton

A request to amend Council Bill BL2009-388 for the previously approved Anchor Property Holdings Specific Plan District located at 3502 Dickerson Pike, approximately 3,255 feet north of Doverside Drive (2.88 acres), to add Automobile Sales (new) Automobile Services (used), Automobile Service, Car Wash, Vehicular Sales and Services, Vehicle Rental/Leasing and Heavy Equipment Repair and all other uses permitted in the CS zoning district as additional permitted uses in the SP-A district, requested by Anchor Property Holdings LLC,

**Staff Recommendation: Approve with Condition**

**APPLICANT REQUEST - Amend SP Ordinance** -Add auto-related uses and all uses permitted in the CS zoning district.

A request to amend Council Bill BL2009-388 for the previously approved Anchor Property Holdings Specific Plan District located at 3502 Dickerson Pike, approximately 3,255 feet north of Doverside Drive (2.88 acres), to add Automobile Sales (new) Automobile Sales (used), Automobile Service, Car Wash, Vehicular Sales and Services, Vehicle Rental/Leasing and Heavy Equipment Repair and all other uses permitted in the Commercial Service (CS) zoning district as additional permitted uses in the Specific Plan - Auto (SP-A) district.

**Existing Zoning**

SP-A District - Specific Plan-Auto is a zoning District category that provides for additional flexibility of design, including the relationship of streets to buildings, to provide the ability to implement the specific details of the General Plan. This Specific Plan includes auto uses.

**CRITICAL PLANNING GOALS N/A****PARKWOOD-UNION HILL COMMUNITY PLAN POLICY**

**Community Center (CC)** CC is intended for dense, predominantly commercial areas at the edge of a neighborhood, which either sits at the intersection of two major thoroughfares or extends along a major thoroughfare. This area tends to mirror the commercial edge of another neighborhood forming and serving as a “town center” of activity for a group of neighborhoods. Appropriate uses within CC areas include single- and multi-family residential, offices, commercial retail and services, and public benefit uses. An Urban Design or Planned Unit Development overlay district or site plan should accompany proposals in these policy areas, to assure appropriate design and that the type of development conforms with the intent of the policy.

*Detailed Land Use Plan*

**Commercial (Com)** Commercial is intended for commercial uses only, with no residential uses. It is intended for mixed commercial buildings with shops at street level and office uses on the upper levels.

**Consistent with Policy?** Yes. The amendment adds Automobile Sales (new) Automobile Sales (used), Automobile Service, Car Wash, Vehicular Sales and Services, Vehicle Rental/Leasing and Heavy Equipment Repair and all other uses permitted in the CS zoning district as additional uses within the SP district, which are uses that are compatible with the Community Center policy.

While auto-oriented uses may not be conducive to creating a pedestrian-oriented streetscape, the applicant has designed a preliminary site plan, which was approved by the Metro Planning Commission on February 26, 2009, that will bring the property closer to the goal of creating a pedestrian-oriented streetscape and is consistent with the intent of the CC policy given that the plan utilizes the existing building. There are no other changes to the SP with this amendment.

**PLAN DETAILS** The Anchor Property Holdings Specific Plan District was approved by Metro Council in 2009. The approved plan consists of a one-story 9,580 square foot building that is being used as a repair shop, wrecker, and towing facility. While the SP permits some auto uses, it did not include automobile sales (new) automobile sales (used), car wash, vehicular sales and services, vehicle rental/leasing and heavy equipment repair as permitted uses. The permitted commercial uses in the current SP approved by Council are as follows:

- Wrecker Service
- Automobile Repair Uses

The proposed auto uses are consistent with the intent of the original SP and compatible with other permitted commercial uses. The change is minor in that it does not alter the design of the SP, but should benefit the development by allowing a wider range of uses.

**Stormwater Violations** The Stormwater Division has identified a number of violations on this property which were also referenced in the original rezoning to SP. To date, no actions have been taken by the property owner. After discussion with the Councilmember, the Stormwater Division has set a deadline to correct the violations.

**STORMWATER RECOMMENDATION** The reference property contains outstanding stormwater violations. These violations shall be corrected no later than 180 days after Council approval of the amended SP plan.

**STAFF RECOMMENDATION** Staff recommends that the request be approved with a condition that the stormwater violations be corrected within 180 days of Council approval. The proposed auto uses are consistent with other commercial uses currently permitted in the SP district.

**CONDITION**

1. The outstanding stormwater violations on this property shall be corrected no later than 180 days after Council approval of the amended SP plan. No grading, building, or use permits shall be issued until the violations are corrected.

Approved with condition, (6-0) *Consent Agenda*

**Resolution No. RS2009-123**

“BE IT RESOLVED by The Metropolitan Planning Commission that 2009SP-003-002 is **APPROVED. (6-0)**

**The proposed additional uses for the SP-A district are consistent with the Parkwood/Union Hill Community Plan’s Commercial in Community Center policy.”**